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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,661	04/02/2004	Marufa Kaniz	H1246	1039

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EXAMINER	
BAYOU, YONAS A	
ART UNIT	**PAPER NUMBER**
2134	

NOTIFICATION DATE	DELIVERY MODE
06/18/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing@eschweilerlaw.com

Office Action Summary	Application No.	Applicant(s)	
	10/816,661	KANIZ ET AL.	
	Examiner	Art Unit	
	YONAS BAYOU	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *18 March 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8-12 and 14-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8-12 and 14-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04/02/2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to applicant's response filed on 03/18/2008.

2. Claims 1-6, 8-12 and 14-22 are pending.

3. Claims 7 and 13 are cancelled.

4. Applicant's arguments have been fully considered but they are not persuasive.

5. When responding to the Office action, Applicant is advised to clearly point out the patentable novelty the claims present in view of the state of the art disclosed by the reference(s) cited or the objection made. A showing of how the amendments avoid such references or objections must also be present. See 37 C.F.R. 1.111(c).

Response to Arguments

1. Applicant, on page 7, line 5 – page 8, of the remarks, argues "in the method of claims 1 and 15, Dwork is not adapted to obtain initialization vector information (e.g., initialization vector information 191 of Fig. 1A from initialization vector226 of Fig. 1F) from the host system. In addition, the descriptor management unit of Dwork is not adapted to provide the initialization vector information to the security system.

And by contrast, Dwork does not discuss providing initialization vector information from a descriptor to a security system. Further, Dwork does not discuss selectively employing an initialization vector (IV) from the outgoing data to perform CBC

encryption or authentication of the outgoing data according to the initialization vector information.

Examiner respectfully disagrees and asserts that Dwork discloses obtaining initialization vector information (e.g., initialization vector information 191 of Fig. 1A from initialization vector 226 of Fig. 1F) and providing the initialization vector information to the security system **[see, col. 24, lines 39-67 and figs. 5D-5F]**. Dwork discloses providing initialization vector information from a descriptor to a security system **[col. 12, lines 5-34; col. 19, lines 15-49 and figs. 1E and 2-4]** and employing an initialization vector (IV) from the outgoing data to perform CBC encryption or authentication of the outgoing data according to the initialization vector information **[col. 14, lines 37-57]**.

2. Examiner, however, in light of the above submission maintains the previous rejections while considering the amendments to the claims as follows:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 8-12 and 14-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Dwork et al. Patent Number 6,963,946 B1 (hereinafter Dwork).

Referring to claim 1, Dwork teaches a network interface system for interfacing a host system with a network to provide outgoing data from the host system to the network and to provide incoming data from the network to the host system, the network interface system comprising:

a bus interface system adapted to be coupled with a host bus in the host system and transfer data between the network interface system and the host system **[column 1, line 60 – column 2, line 11 and fig. 2];**

a media access control system adapted to be coupled with the network and to transfer data between the network interface system and the network **[column 13, lines 1-45 and fig. 2,** which in turn coupled with the network];

a memory system coupled with the bus interface system and the media access control system, the memory system being adapted to store incoming and outgoing data being transferred between the network and the host system **[column 9, lines 40-60 and figs. 1A and 1B]**;

a security system coupled with the memory system, the security system being adapted to selectively encrypt outgoing data and to selectively decrypt incoming data **[column 14, lines 37-57 and fig. 2]**; and

a descriptor management system coupled with the bus interface system and the security system, the descriptor management system being adapted to obtain initialization vector information from the host system and to provide the initialization vector information to the security system **[column 24, lines 39-67 and figs. 5D-5F]**.

Referring to claim 2, Dwork teaches a network interface system, wherein the security system comprises at least one transmit security processor adapted to selectively encrypt or selectively authenticate the outgoing data **[column 14, lines 37-57 and fig. 2].**

Referring to claims 3 and 9, Dwork teaches a network interface system, wherein the initialization vector information indicates whether the outgoing data is to undergo cipher block chaining (CBC) encryption in the security system **[column 14, lines 37-57 and fig. 2].**

Referring to claims 4, 5, 10, 11, 17 and 20, Dwork teaches a network interface system, wherein the at least one transmit security processor selectively employs an initialization vector (IV) from the outgoing data to perform CBC encryption according to

the initialization vector information from the descriptor management system **[column 14, lines 37-57 and fig. 2]**.

Referring to claims 6, 8, 12, 14, 18, 19, 21 and 22, Dwork teaches a network interface system, wherein the initialization vector information indicates a length of an initialization vector in the outgoing data **[column 24, lines 49-59 and figs. 5E and 5F].**

Referring to claim 15, Dwork teaches a method of encrypting outgoing data in a network interface system, the method comprising:

providing initialization vector information from a descriptor to a security system in a network interface system **[col. 12, lines 5-34; col. 19, lines 15-49 and figs. 1E and 2-4]**.

selectively encrypting or authenticating outgoing data using the security system **[column 14, lines 37-57 and fig. 2]**; and

selectively employing an initialization vector (IV) from the outgoing data to perform CBC encryption or authentication of the outgoing data according to the initialization vector information **[column 14, lines 37-57 and fig. 2].**

Referring to claim 16, Dwork teaches a method of encrypting outgoing data in a network interface system, wherein providing the initialization vector information comprises:

reading a transmit descriptor from a host system **[column 13, lines 45-65, figs. 2, 4 and 5A-5J]**; and

providing initialization vector information from the transmit descriptor to the security system **[col. 12, lines 5-34; col. 19, lines 15-49 and figs. 1E and 2-4]**.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YONAS BAYOU whose telephone number is (571)272-7610. The examiner can normally be reached on m-f,7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yonas Bayou/

Examiner, Art Unit 2134

06/11/2008

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2134